

AMENDED IN ASSEMBLY APRIL 11, 2016

AMENDED IN ASSEMBLY MARCH 30, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 2485

Introduced by Assembly Member Santiago

February 19, 2016

An act to repeal Article 9.5 (commencing with Section 1970) of Chapter 4 of Division 2 of the Business and Professions Code, and to amend Section 128345 of, and to add Article 7 (commencing with Section 128587) to Chapter 5 of Part 3 of Division 107 of, the Health and Safety Code, relating to dentistry.

LEGISLATIVE COUNSEL'S DIGEST

AB 2485, as amended, Santiago. Dental Corps Loan Repayment Program.

Existing law establishes the Dental Corps Loan Repayment Program of 2002 within the Dental Board of California. Existing law creates the Dentally Underserved Account within the State Dentistry Fund. The program assists dentists who practice in an underserved area with loan repayment pursuant to an agreement between the board and the dentist, as specified.

This bill would repeal those provisions and instead transfer the authority to implement the program to the Health Professions Education Foundation within the Office of Statewide Health Planning and Development and would rename the account the Dental Corps Loan Repayment Account. The bill would make funds in the account available, upon appropriation by the Legislature, for purposes of the program. The bill would require the foundation to submit a report to

the *Dental Board of California and the Legislature* by ~~January 1, 2019.~~
July 1, 2018. The bill would make related findings and declarations.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. The Legislature hereby finds and declares all of
2 the following:

3 (a) An adequate supply of dentists is critical to assuring the
4 health and well-being of California residents, particularly those
5 who live in medically underserved areas.

6 (b) It is in the best interest of the state and its residents that
7 dental services be provided throughout the state in a manner that
8 can be effectively accessed by the residents of all communities.

9 (c) The Dental Board of California has established the California
10 Dental Corps Loan Repayment Program of 2002 to improve access
11 to dental care for underserved populations.

12 (d) The Health Professions Education Foundation, established
13 in 1987, is the state's only nonprofit foundation statutorily created
14 to encourage persons from underserved communities to become
15 health professionals and increase access to health providers in
16 medically underserved areas.

17 (e) The foundation improves access to health care in underserved
18 areas by providing scholarships, loan repayments, and programs
19 to health professional students and graduates who are dedicated
20 to providing direct patient care in those areas.

21 (f) It is the intent of the Legislature to move the California
22 Dental Corps Loan Repayment Program of 2002 from the Dental
23 Board of California to the Health Professions Education Foundation
24 within the Office of Statewide Health Planning and Development.

25 SEC. 2. Article 9.5 (commencing with Section 1970) of Chapter
26 4 of Division 2 of the Business and Professions Code is repealed.

27 SEC. 3. Section 128345 of the Health and Safety Code is
28 amended to read:

29 128345. The Health Professions Education Foundation may
30 do any of the following:

31 (a) Solicit and receive funds from business, industry,
32 foundations, and other private or public sources for the purpose
33 of providing financial assistance in the form of scholarships or

1 loans to African-American students, Native American students,
2 Hispanic-American students, and other students from
3 underrepresented groups. These funds shall be expended by the
4 office after transfer to the Health Professions Education Fund,
5 created pursuant to Section 128355.

6 (b) Recommend to the director the disbursement of private
7 sector moneys deposited in the Health Professions Education Fund
8 to students from underrepresented groups accepted to or enrolled
9 in schools of medicine, dentistry, nursing, or other health
10 professions in the form of loans or scholarships.

11 (c) Recommend to the director a standard contractual agreement
12 to be signed by the director and any participating student, that
13 would require a period of obligated professional service in the
14 areas in California designated by the commission as deficient in
15 primary care services. The agreement shall include a clause
16 entitling the state to recover the funds awarded plus the maximum
17 allowable interest for failure to begin or complete the service
18 obligation.

19 (d) Develop criteria for evaluating the likelihood that applicants
20 for scholarships or loans would remain to practice their profession
21 in designated areas deficient in primary care services.

22 (e) Develop application forms, which shall be disseminated to
23 students from underrepresented groups interested in applying for
24 scholarships or loans.

25 (f) Encourage private sector institutions, including hospitals,
26 community clinics, and other health agencies to identify and
27 provide educational experiences to students from underrepresented
28 groups who are potential applicants to schools of medicine,
29 dentistry, nursing, or other health professions.

30 (g) Prepare and submit an annual report to the office
31 documenting the amount of money solicited from the private sector,
32 the number of scholarships and loans awarded, the enrollment
33 levels of students from underrepresented groups in schools of
34 medicine, dentistry, nursing, and other health professions, and the
35 projected need for scholarships and loans in the future.

36 (h) Recommend to the director that a portion of the funds
37 solicited from the private sector be used for the administrative
38 requirements of the foundation.

1 (i) Implement the Steven M. Thompson Physician Corps Loan
2 Repayment Program and the Volunteer Physician Program, as
3 provided under Article 5 (commencing with Section 128550).

4 (j) Implement the California Dental Corps Loan Repayment
5 Program, as provided under Article 7 (commencing with Section
6 128587) of Chapter 5 of Part 3 of Division 107.

7 SEC. 4. Article 7 (commencing with Section 128587) is added
8 to Chapter 5 of Part 3 of Division 107 of the Health and Safety
9 Code, to read:

10
11 Article 7. California Dental Corps Loan Repayment Program
12

13 128587. (a) There is hereby established the California Dental
14 Corps Loan Repayment Program within the Health Professions
15 Education Foundation within the Office of Statewide Health
16 Planning and Development.

17 (b) It is the intent of the Legislature in enacting this article that
18 the foundation and the office provide the ongoing program
19 management for the program.

20 128587.2. For purposes of this article, the following definitions
21 apply:

22 (a) “Account” means the Dentally Underserved Account, which
23 is contained within the fund.

24 (b) “Board” means the Dental Board of California.

25 (c) “Dentally underserved area” means a geographic area eligible
26 to be designated as having a shortage of dental professionals
27 pursuant to Part I of Appendix B to Part 5 of Chapter 1 of Title 42
28 of the Code of Federal Regulations or an area of the state in which
29 unmet priority needs for dentists exist as determined by the
30 California Healthcare Workforce Policy Commission pursuant to
31 Section 128224.

32 (d) “Dentally underserved population” means persons without
33 dental insurance and persons eligible for Denti-Cal who are
34 population groups described as having a shortage of dental care
35 professionals in Part I of Appendix B to Part 5 of Chapter 1 of
36 Title 42 of the Code of Federal Regulations.

37 (e) “Fund” means the State Dentistry Fund.

38 (f) “Medi-Cal threshold languages” means primary languages
39 spoken by limited-English-proficient (LEP) population groups
40 meeting a numeric threshold of 3,000, eligible LEP Medi-Cal

1 beneficiaries residing in a county, 1,000 Medi-Cal eligible LEP
2 beneficiaries residing in a single ZIP Code, or 1,500 LEP Medi-Cal
3 beneficiaries residing in two contiguous ZIP Codes.

4 (g) "Office" means the Office of Statewide Health Planning and
5 Development.

6 (h) "Program" means the California Dental Corps Loan
7 Repayment Program.

8 (i) "Practice setting" means either of the following:

9 (1) A community clinic, as defined in subdivision (a) of Section
10 1204 and subdivision (c) of Section 1206, a clinic owned or
11 operated by a public hospital and health system, or a clinic owned
12 and operated by a hospital that maintains the primary contract with
13 a county government to fulfill the county's role pursuant to Section
14 17000 of the Welfare and Institutions Code, which is located in a
15 dentally underserved area.

16 (2) A dental practice or dental corporation, as defined in Section
17 1800 of the Business and Professions Code, located in a dentally
18 underserved area or at least 50 percent of whose patients are from
19 a dentally underserved population.

20 128587.4. (a) A program applicant shall possess a current
21 valid license to practice dentistry in this state issued by the board
22 pursuant to Section 1626 of the Business and Professions Code,
23 or be currently eligible for graduation from a pre- or postdoctoral
24 dental education program approved by the board or the
25 Commission on Dental Accreditation and meet all criteria for
26 licensure subject to successful completion of applicable education
27 and examination requirements.

28 (b) The foundation shall develop the guidelines for selection
29 and placement of applicants.

30 (1) The guidelines shall provide priority consideration to
31 applicants who are best suited to meet the cultural and linguistic
32 needs and demands of dentally underserved populations and who
33 meet one or more of the following criteria:

34 (A) Speak a Medi-Cal threshold language.

35 (B) Come from an economically disadvantaged background.

36 (C) Have received significant training in cultural and
37 linguistically appropriate service delivery.

38 (D) Have worked in a health field in an underserved area or
39 with an underserved population.

40 (E) Recently received a license to practice dentistry.

1 (F) Have received an offer for employment from a practice
2 setting.

3 (2) The guidelines shall include a process for determining the
4 needs for dental services identified by the practice setting. At a
5 minimum, the practice setting shall be located in a dentally
6 underserved area.

7 (3) The guidelines shall seek to place the most qualified
8 applicants under this section in the areas with the greatest need.

9 (c) A program applicant shall be working in, or have a signed
10 agreement with, an eligible practice setting. The program
11 participant shall be employed on a full-time basis. Full-time basis
12 shall be defined by the ~~board~~, *foundation*, and the ~~board~~ *foundation*
13 may establish exemptions to this requirement on a case-by-case
14 basis.

15 (d) A program participant shall commit to a minimum of three
16 years of service in one or more practice settings. The foundation
17 shall develop the process for determining the maximum length of
18 an absence and the process for reinstatement of a participant. Loan
19 repayment shall be deferred until the dentist is employed on a
20 full-time basis.

21 (e) The foundation shall develop a process to use if a dentist is
22 not able to complete his or her three-year obligation.

23 (f) The foundation shall develop a process for outreach to
24 potentially eligible applicants.

25 (g) The foundation may adopt any other standards of eligibility,
26 placement, and termination appropriate to achieve the aim of
27 providing competent dental services in these approved practice
28 settings.

29 128587.6 (a) The Dentally Underserved Account, formerly
30 established pursuant to subdivision (a) of Section 1973 of the
31 Business and Professions Code, in the State Dentistry Fund in the
32 Professions and Vocations Fund in the State Treasury is hereby
33 renamed the Dental Corps Loan Repayment Account and
34 established by this section in the State Dentistry Fund.

35 (b) (1) Funds placed in the account shall be available upon
36 appropriation by the Legislature.

37 (2) Funds in the account shall be used by the foundation to repay
38 the loans per agreements made with dentists.

39 (3) Funds paid out for loan repayment may have a funding match
40 from foundations or other private sources.

1 (4) Loan repayments shall not exceed a total of one hundred
2 five thousand dollars (\$105,000) per individual licensed dentist.

3 (5) Notwithstanding Section 11005 of the Government Code,
4 the foundation may seek and receive funds from foundations and
5 private sources to be placed into the account.

6 128587.8. The terms of loan repayment granted under this
7 article shall be as follows:

8 (a) After a program participant has completed six months of
9 providing services on a full-time basis in a practice setting, the
10 foundation shall provide up to thirty-five thousand dollars
11 (\$35,000) for loan repayment.

12 (b) After a program participant has completed 18 consecutive
13 months of providing services on a full-time basis in a practice
14 setting, the foundation shall provide up to an additional thirty-five
15 thousand dollars (\$35,000) of loan repayment, for a total loan
16 repayment of up to seventy thousand dollars (\$70,000).

17 (c) After a program participant has completed 30 consecutive
18 months of providing services on a full-time basis in a practice
19 setting, the foundation shall provide up to a maximum of thirty-five
20 thousand dollars (\$35,000) of loan repayment, for a total loan
21 repayment of up to one hundred five thousand dollars (\$105,000),
22 but not to exceed the total outstanding amount of the loan.

23 128587.9. (a) On or before ~~January 1, 2019~~, *July 1, 2018*, the
24 foundation shall submit a report to the *board and the* Legislature
25 regarding the experience of the program, an evaluation of its
26 effectiveness in improving access to dental care for underserved
27 populations, and recommendations for maintaining or expanding
28 its operation, including, but not limited to, all of the following:

29 (1) Number of program participants.

30 (2) Practice locations.

31 (3) Amount of funds expended.

32 (4) The information on annual performance reviews by practice
33 settings and program participants.

34 (b) The report to the Legislature pursuant to subdivision (a)
35 shall be submitted in compliance with Section 9795 of the
36 Government Code.

37 (c) Pursuant to Section 10231.5 of the Government Code, this
38 section is repealed on ~~January 1, 2023~~, *July 1, 2022*.

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